No. 67

MICHIGAN SENATE

DAILY CALENDAR

WEDNESDAY, NOVEMBER 13, 2002 10:00 a.m.

CONFERENCE REPORTS

— 1 —

SJR D Sen. McCotter

State; employees and officers; adoption of state officers compensation commission recommendation for next legislative session; require legislature approval.

Amends sec. 12, art. IV of the state constitution.

Conference report received in the Senate, Wednesday, October 24, 2001; laid over under the rules.

For text of conference report, see Senate Journal No. 74 of 2001, page 1873.

Adoption pending.

THIRD READING OF BILLS

2

SB 1013 Sen. Van Regenmorter

Criminal procedure; sentencing; lifetime probation for delivery or sale of a controlled substance; revise penalties.

Amends sec. 2, ch. XI of 1927 PA 175 (MCL 771.2) & adds sec. 4b to ch. XI.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

- 3 -----

HB 4237 Rep. Rocca

Education; teachers; certification in cardiopulmonary resuscitation; require for new teacher certification.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1531d.

I.E. House, April 16, 2002.

House substitute (H-1).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

— 4

SB 1240 Sen. McCotter

Transportation; authorities; regional transportation authority; allow certain cities to withdraw from.

Amends sec. 4 of 1967 PA 204 (MCL 124.404).

Reported by Committee on Government Operations. Senate substitute (S-2).

Committee recommended I.E.

THIRD READING OF BILLS

____ 5 ____

HB 5719 Rep. Kuipers

Legislature; auditor general; reference to auditor general in federal grant statute; eliminate.

Amends sec. 3 of 1942 (1st Ex Sess) PA 16 (MCL 388.803).

I.E. House, March 12, 2002.

Reported by Committee on Government Operations. Committee recommended I.E.

6

HB 5720 Rep. Kuipers

Legislature; auditor general; reference to auditor general in school for the deaf statute; eliminate.

Amends secs. 10, 12, 14 & 16 of 1893 PA 116 (MCL 393.60 et seq.).

I.E. House, March 12, 2002.

House substitute (H-1).

Reported by Committee on Government Operations.

Committee recommended I.E.

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HB 5721 Rep. Kuipers

Legislature; auditor general; reference to auditor general in Michigan school for the blind statute; eliminate.

Amends secs. 9 & 10 of 1893 PA 123 (MCL 393.109 & 393.110).

I.E. House, March 12, 2002.

House substitute (H-1).

 $\label{lem:committee} \textbf{Reported by Committee on Government Operations.}$

Committee recommended I.E.

8

HB 5722 Rep. Patterson

Legislature; auditor general; reference to duties of the auditor general in the general property tax act; eliminate.

Amends secs. 35, 41, 57a, 58, 62, 63, 64, 66, 67, 70, 73, 73a, 73b, 75, 83, 85, 86, 87, 88, 90, 95, 96, 97, 98, 98a, 99, 101, 102, 103, 105, 113, 121, 122, 127b, 130, 135, 138, 139 & 144 of 1893 PA 206 (MCL 211.35 et seq.).

I.E. House, April 16, 2002.

Reported by Committee on Government Operations.

THIRD READING OF BILLS

_____ 9 _____

HB 5742 Rep. Kuipers

Legislature; auditor general; reference to auditor general in nonpublic school statute; eliminate.

Amends sec. 1 of 1921 PA 302 (MCL 388.551).

I.E. House, April 9, 2002.

Reported by Committee on Government Operations. Committee recommended I.E.

_____ 10 _____

SB 503 Sen. Garcia

Financial institutions; other; regulation of deferred presentment service transaction; provide for.

Creates new act.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-7).

For Senate amendment, see Senate Journal No. 73 of 2001, page 1852.

Committee recommended I.E.

— 11 ———

SB 1030 Sen. McCotter

Crimes; other; provisions relating to prize fighting; repeal.

Repeals secs. 442, 443, 444, 445, 446 & 447 of 1931 PA 328 (MCL 750.442 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

____ 12 _____

SB 1031 Sen. McCotter

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of prize fighting and training for prize fighting; eliminate.

Amends sec. 16v, ch. XVII of 1927 PA 175 (MCL 777.16v).

Reported by Committee on Government Operations. Committee recommended I.E.

____ 13 _____

SB 1036 Sen. McCotter

Vehicles; other; prohibition against displaying an emblem or insignia on motor vehicles; limit application to certain fraternal and nonprofit organizations.

Amends sec. 3 of 1929 PA 269 (MCL 430.53).

Reported by Committee on Government Operations. Committee recommended I.E.

HB 5716 Rep. Jacobs

Legislature; auditor general; reference to auditor general in statute concerning state real estate sales; eliminate.

Amends title & secs. 1, 2, 3 & 4 of 1941 PA 230 (MCL 322.1 et seq.).

I.E. House, April 17, 2002.

Reported by Committee on Government Operations. Committee recommended I.E.

THIRD READING OF BILLS

____ 15 _____

HB 5363 Rep. Kolb

Consumer protection; leases; vehicle lease transactions; include in vehicle code regulation.

Amends secs. 11, 213, 216, 217, 217c, 222, 226, 226a, 233b, 244, 248, 249, 251 & 251a of 1949 PA 300 (MCL 257.11 et seq.).

I.E. House, May 9, 2002.

House substitute (H-5).

Reported by Committee on Transportation and Tourism. Senate substitute (S-2).

Committee recommended I.E.

— 16 —

HB 5364 Rep. Gilbert

Trade; vehicles; unlicensed dealers; clarify definition of dealer and provide for penalties and administrative procedure for unlicensed dealers.

Amends sec. 11 of 1949 PA 300 (MCL 257.11) & adds sec. 248j.

I.E. House, May 9, 2002.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-2).

Committee recommended I.E.

____ 17 _____

SB 1383 Sen. Sanborn

Natural resources; forests; procedure for earmarking royalties from timber and mineral revenues; clarify.

Amends secs. 1 & 3 of 1990 PA 182 (MCL 141.1301 & 141.1303).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

Committee recommended I.E.

SB 1221 Sen. Garcia

Military affairs; other; retirement age limit for the adjutant general; revise.

Amends sec. 302 of 1967 PA 150 (MCL 32.702).

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

SB 1385 Sen. Bullard

Insurance; other; internal grievance procedures; provide for exceptions.

Amends secs. 2213 & 2213a of 1956 PA 218 (MCL 500.2213 & 500.2213a) & adds sec. 2213c.

Reported by Committee on Financial Services.

Senate substitute (S-1).

Committee recommended I.E.

____ 20 _____

SB 1410 Sen. Bullard

Worker's compensation; insurers; procedure for the filing of certain notices; require.

Amends sec. 625 of 1969 PA 317 (MCL 418.625).

Reported by Committee on Financial Services.

Senate substitute (S-1).

THIRD READING OF BILLS

____ 21 _____

SB 1418 Sen. Bullard

Businesses; limited liability; technical amendments; provide for.

Amends secs. 102, 103, 104, 105, 106, 202, 203, 204, 207, 210, 214, 301, 303, 304, 307, 403, 405, 406, 501, 502, 503, 504, 506, 515, 603, 705a, 801, 804, 909, 1005 & 1101 of 1993 PA 23 (MCL 450.4102 et seq.) & adds secs. 207a & 215.

Reported by Committee on Financial Services. Committee recommended I.E.

___ 22 _____

SB 1428 Sen. Bullard

Insurance; no-fault; certain premium surcharges; revise. Amends sec. 3341 of 1956 PA 218 (MCL 500.3341).

Reported by Committee on Financial Services. Committee recommended I.E.

— 23 *-*

SB 1434 Sen. Garcia

Insurance; other; required notices to be sent to office of financial and insurance services for appointment or election of new officers and directors; limit.

Amends sec. 250 of 1956 PA 218 (MCL 500.250).

Reported by Committee on Financial Services. Committee recommended I.E.

— 24 *-*

SB 1437 Sen. North

Occupations; real estate; real estate licensure fees; revise. Amends 1979 PA 152 (MCL 338.2201 - 338.2277) by adding sec. 4.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

For Senate amendment, see Senate Journal No. 66, page 2115.

Committee recommended I.E.

____ 25 _____

SB 1438 Sen. North

Occupations; real estate; continuing education for licensed realtors; revise and allow 3-year license cycle.

Amends secs. 409, 411 & 2504 of 1980 PA 299 (MCL 339.409 et seq.).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

_____ 26 _____

HB 4698 Rep. Allen

Economic development; brownfield redevelopment authority; work plan approval; establish criteria.

Amends sec. 15 of 1996 PA 381 (MCL 125.2665).

I.E. House, May 24, 2001.

House substitute (H-2).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

GENERAL ORDERS

____ 27 _____

SB 750 Sen. Gast

State; funds; budget stabilization fund withdrawal; allow. Amends sec. 353c of 1984 PA 431 (MCL 18.1353c).

Reported by Committee on Appropriations.

Committee recommended I.E.

28

SB 1312 Sen. Johnson

Liquor; licenses; "catering permit" for on-premises licensees to serve alcohol at locations other than the licensed premises under certain circumstances; provide for.

Amends 1998 PA 58 (MCL 436.1101 - 436.2303) by adding sec. 545.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

____ 29 _____

SB 618 Sen. Garcia

Economic development; development incentives; certified capital company law; create and provide investment incentives for insurance companies.

Creates new act.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-2).

Committee recommended I.E.

— 30 **—**

HB 4090 Rep. Switalski

Courts; juries; juror compensation; increase.

Amends sec. 1344 of 1961 PA 236 (MCL 600.1344).

I.E. House, October 18, 2001.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 31 ——

HB 4551 Rep. Newell

Courts; funding; juror compensation reimbursement fund; create.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 151c.

I.E. House, October 18, 2001.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 32 ————

HB 4552 Rep. Daniels

Traffic control; driver license; driver license clearance fee; increase and earmark increase for juror compensation fund.

Amends sec. 321a of 1949 PA 300 (MCL 257.321a).

I.E. House, October 18, 2001.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

GENERAL ORDERS

— 33 ———

HB 4553 Rep. Richner

Courts; funding; revenue from juror compensation reimbursement fund; direct to cost of increased juror compensation.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 151d.

I.E. House, October 18, 2001.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

----- 34 -------

HB 4798 Rep. Richner

Courts; juries; jury demand fee; increase.

Amends secs. 2529 & 8371 of 1961 PA 236 (MCL 600.2529 & 600.8371).

I.E. House, October 18, 2001.

For House amendment, see House Journal No. 71, page 2091.

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

— 35 ———

HB 5047 Rep. Anderson

Law enforcement; local police; administrative fee for arrests made on warrants issued by other departments; allow collection of by local police departments.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 12a to ch. V.

I.E. House, December 5, 2001.

For House amendments, see House Journal No. 83, page 2511.

Reported by Committee on Judiciary.

Committee recommended I.E.

____ 36 _____

HB 4642 Rep. Cassis

Elections; absent voters; absent voter ballot; allow voters who registered to vote by mail and who have not subsequently voted in person to utilize if certain form is completed and notarized.

Amends sec. 509t of 1954 PA 116 (MCL 168.509t).

Reported by Committee on Government Operations. Committee recommended I.E.

— 37 ———

SB 1317 Sen. Garcia

Use tax; exemptions; alternative energy vehicles, alternative energy marine propulsion system, and alternative energy system; provide for use tax exemption.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4w.

Reported by Committee on Finance.

Senate substitute (S-3).

Committee recommended I.E.

GENERAL ORDERS

— 38 ———

SB 1321 Sen. Sanborn

Sales tax; exemptions; alternative energy vehicles, alternative energy marine propulsion system, and alternative energy system; provide for sales tax exemption.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4aa.

Reported by Committee on Finance.

Senate substitute (S-3).

Committee recommended I.E.

— 39 —

HB 5727 Rep. Voorhees

Taxation; revenue sharing; withholding of revenue sharing funds to satisfy payments owed to certain local retirement systems; authorize.

Amends sec. 17a of 1971 PA 140 (MCL 141.917a).

I.E. House, May 7, 2002.

House substitute (H-2).

Committee on Appropriations discharged, Thursday, June 6.

HB 4915 Rep. Lemmons

Elections; recounts; reimbursement of certain costs for recounting ballots; provide for under certain circumstances.

Amends sec. 867 of 1954 PA 116 (MCL 168.867).

I.E. House, December 11, 2001.

House substitute (H-1).

Reported by Committee on Government Operations.

Committee recommended I.E.

41

SB 611 Sen. Hammerstrom

Occupations; athletics; registration of athletic trainers; provide for.

Amends sec. 16263 of 1978 PA 368 (MCL 333.16263) & adds sec. 16336 & pt. 179.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

— 42 **—**

SB 1121 Sen. Bullard

Occupations; chiropractors; chiropractic adjustments and other chiropractic services; prohibit other licensed health professionals from performing or advertising that the procedure can be performed unless chiropractic adjustment is allowed under the licensee's scope of practice definition.

Amends secs. 16261, 16401 & 16411 of 1978 PA 368 (MCL 333.16261 et seq.).

Reported by Committee on Health Policy.

Senate substitute (S-3).

Committee recommended I.E.

— 43 ——

HB 4017 Rep. Rocca

Legislature; sessions; session to be preceded by pledge of allegiance; require.

Amends 1877 PA 67 (MCL 4.41 - 4.46) by adding sec. 2a.

I.E. House, July 2, 2002.

Reported by Committee on Government Operations.

For Senate amendment, see Senate Journal No. 63, page 2065.

GENERAL ORDERS

44

HB 5371 Rep. Middaugh

Children; child care; child care provider registry; establish. Amends 1973 PA 116 (MCL 722.111 - 722.128) by adding sec. 11b.

I.E. House, May 16, 2002.

For House amendments, see House Journal No. 45, page 1526.

Reported by Committee on Families, Mental Health and Human Services.

For Senate amendment, see Senate Journal No. 63, page 2066.

Committee recommended I.E.

— 45

HB 5372 Rep. Middaugh

Children; protection; notification of the department of consumer and industry services if an alleged perpetrator of child abuse or neglect is a child care provider; require.

Amends secs. 2, 3, 7 & 8a of 1975 PA 238 (MCL 722.622 et seq.).

I.E. House, May 16, 2002.

House substitute (H-2).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

– 46 **––––**

HB 5984 Rep. DeWeese

Law enforcement; reports; reporting suspected child abuse or neglect; expand to include member of the clergy.

Amends secs. 2, 3 & 11 of 1975 PA 238 (MCL 722.622 et seq.).

I.E. House, June 19, 2002.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

Committee recommended I.E.

HB 6202 Rep. Tabor

Children; child care; requirement for staff of child care centers to provide documentation regarding central registry checks; provide for.

Amends 1973 PA 116 (MCL 722.111 - 722.128) by adding sec. 9.

I.E. House, June 27, 2002.

House substitute (H-2).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

- 48 -----

HB 6204 Rep. Woronchak

Children; child care; documentation provided to an individual stating that the individual is not on the central registry; allow for family independence agency.

Amends 1975 PA 238 (MCL 722.621 - 722.638) by adding sec. 7j.

I.E. House, June 27, 2002.

House substitute (H-1).

For House amendment, see House Journal No. 59, page 2250.

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-1).

GENERAL ORDERS

— 49 —

HB 6205 Rep. Garza

Children; child care; posting in child care facility of option to require criminal history checks on employees and volunteers; require.

Amends 1973 PA 116 (MCL 722.111 - 722.128) by adding sec. 3e.

I.E. House, June 27, 2002.

Reported by Committee on Families, Mental Health and Human Services.

For Senate amendments, see Senate Journal No. 63, page 2067.

_____ 50 _____

HB 5743 Rep. Cassis

Property tax; homestead exemption; procedures for appealing the denial of homestead exemption; revise.

Amends sec. 53b of 1893 PA 206 (MCL 211.53b) & adds sec. 7gg.

I.E. House, April 18, 2002.

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

51

HB 5947 Rep. DeWeese

Property tax; payment and collection; township treasurer required business hours; revise.

Amends sec. 44 of 1893 PA 206 (MCL 211.44).

I.E. House, June 19, 2002.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

_____ 52 _____

HB 5999 Rep. Richner

Insurance; annuities; minimum nonforfeiture rate for individual fixed annuity contracts; revise.

Amends sec. 4072 of 1956 PA 218 (MCL 500.4072).

I.E. House, June 4, 2002.

Reported by Committee on Financial Services.

Committee recommended I.E.

COMMITTEE REPORTS

____ 53 _____

SB 1127 Sen. Emmons

Crimes; criminal sexual conduct; sexual relations by certain school employees with students at a public or nonpublic school; prohibit.

Amends secs. 520a, 520b, 520c, 520d & 520e of 1931 PA 328 (MCL 750.520a et seq.).

Reported by Committee on Judiciary.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

— 54 ——

SB 1368 Sen. Van Regenmorter

Law enforcement; reports; procedure for the reporting of missing individuals with Alzheimer's disease and dementia; revise.

Amends sec. 8 of 1968 PA 319 (MCL 28.258).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 55 ——

SB 1448 Sen. Goschka

Courts; juries; juror compensation; increase, and revise juror eligibility requirements.

Amends secs. 1307a & 1344 of 1961 PA 236 (MCL 600.1307a & 600.1344).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 56 _____

SB 1449 Sen. North

Courts; funding; juror compensation reimbursement fund; create.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 151d.

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SB 1450 Sen. Johnson

Courts; funding; juror compensation reimbursement fund; provide for disbursement of revenue.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding sec. 151e.

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 58 _____

SB 1451 Sen. Dingell

Traffic control; driver license; driver license clearance fee; increase and earmark increase for juror compensation fund.

Amends sec. 321a of 1949 PA 300 (MCL 257.321a).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

- 59 **-**

SB 1452 Sen. Scott

Courts; juries; jury demand fee; increase.

Amends secs. 2529 & 8371 of 1961 PA 236 (MCL 600.2529 & 600.8371).

Reported by Committee on Judiciary.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 60 —

(Eligible for passage Sunday, November 17.)

SB 1497 Sen. Van Regenmorter

Criminal procedure; bail; release on bail of certain individuals charged with certain offenses; amend procedures for.

Amends secs. 26 & 28, ch. V of 1927 PA 175 (MCL 765.26 & 765.28).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations -

Subcommittee -

Capital Outlay, Joint - Wednesday, November 13, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Education - Wednesday, November 13, 3:00 p.m., Room 210, Farnum Building (373-7350)

Technology and Energy - Wednesday, November 13, 3:00 p.m., Rooms 402 and 403, Capitol Building and Thursday, November 14, 8:00 a.m., Room 405, Capitol Building (373-0797)

BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed To	
		Senate	House	Senate	House
SJR D	State; employees and officers; adoption of	McCotter	Patterson		
	SOCC recommendation for next legislative	Sikkema	Bisbee		
	session; require legislature approval.	Leland	Jacobs		
HB 4042	Consumer protection; home solicitation sales;	Emmons	Bradstreet		
	do not call register; create.	Steil	Kowall		
	do not can register, create.	Cherry	Rivet		
		Cherry	Rivet		
HB 4632	Consumer protection; home solicitation sales;	Emmons	Bradstreet		
	violation of home solicitation sales statute;	Steil	Faunce		
	prohibit as unfair practice.	Cherry	Rivet		
HB 5083	Children; other; advisory council on	Bennett			
	psychotropic drug use among children;	Stille			
	create.	Peters			
HB 5467	State; authorities; regional transportation	Bullard	Allen		
	authority in Detroit; establish.	McCotter	Godchaux		
	,	Young	Thomas		